

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

GILBERTO BAEZ RIVERA (1),

Defendant.

NO. CR-05-2075-1-EFS

**ORDER DENYING DEFENDANT'S
MOTION FOR REVIEW OF DETENTION
ORDER**

A hearing was held in the above-captioned matter on August 17, 2005. The Defendant was present, represented by Ricardo Hernandez. Assistant United States Attorney Jane Kirk appeared on behalf of the Government. Before the Court was Defendant Gilberto Baez Rivera's Motion for Review of Detention Order, (Ct. Rec. 476). For the reasons given on the record, the Court finds there is an absence of condition or conditions that could be imposed that would reasonably assure the appearance of the Defendant at trial and, further, the evidence is clear and convincing that there are no conditions that could be imposed which would protect community safety. Accordingly, **IT IS HEREBY ORDERED:** Defendant Gilberto Baez Rivera's Motion for Review of Detention Order, (Ct. Rec. 476), is **DENIED**. The Defendant shall continue to be held in custody pursuant to the Magistrate Judge's Order of Detention, (Ct. Rec. 424).

1 **IT IS SO ORDERED.** The District Court Executive is directed to enter
2 this Order and provide copies to counsel, the U.S. Probation Office, the
3 U.S. Marshal.

4 **DATED** this 18th day of August, 2005.

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6 S/ Edward F. Shea
7 EDWARD F. SHEA
8 United States District Judge

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